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11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**

13 CGI FEDERAL INC., a Delaware Corporation,

Case No.: 2:20-CV-01781-JAM-KJN

14 Plaintiff,

**STIPULATION AND ORDER TO MODIFY
PRETRIAL DEADLINES**

15 v.

16 AEROJET ROCKETDYNE, INC., an Ohio
17 Corporation,

18 Defendant

20 AEROJET ROCKETDYNE, INC., an Ohio
21 Corporation,

22 Counterclaimant,

23 v.

25 CGI FEDERAL INC., a Delaware Corporation

26 Counterclaim-Defendant.

Complaint Filed: September 3, 2020
FAC Filed: November 18, 2020

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1 Plaintiff and Counterclaim-Defendant CGI Federal, Inc. (“CGI”), on the one hand, and
2 Defendant and Counterclaimant Aerojet Rocketdyne, Inc. (“AR”), on the other hand, by and through
3 their respective counsel of record, hereby enter into the following stipulation and mutually request the
4 Court enter an order, pursuant to Federal Rule of Civil Procedure 16(b)(4), in accordance herewith:

5 1. CGI commenced the instant action on September 3, 2020, and filed the operative First
6 Amended Complaint (“FAC”) on November 18, 2020. AR answered the FAC and asserted
7 counterclaims against CGI on December 8, 2020, then filed its First Amended Answer to the FAC and
8 counterclaims on January 11, 2021. CGI answered AR’s counterclaims on December 24, 2020, and
9 filed its First Amended Answer on January 25, 2021.

10 2. On February 17, 2021, the Court issued its initial Pretrial Scheduling Order. On
11 October 20, 2021 and April 15, 2022, respectively, the Court issued orders pursuant to the parties’
12 stipulation amending the original pre-trial deadlines (Dkt. #46, 50). Among other things, the Court’s
13 April 15, 2022 Order: (a) set the expert witness disclosure deadline for October 10, 2022; (b) set the
14 deadline for the completion of all discovery for December 9, 2022; and (c) set the trial for June 26,
15 2023.

16 3. Both before and after issuance of the Court’s Pretrial Scheduling Orders, the parties
17 have continued to discharge their respective discovery obligations in a diligent manner. To date, as
18 part of discharging their respective discovery obligations, the parties have: (a) propounded and
19 responded to eight sets of written discovery; (b) engaged in third party discovery; and (c) produced
20 more than 8 million pages of documents. While a number of discovery disputes remain between them,
21 the parties have engaged in meaningful meet and confer efforts in an attempt to resolve those disputes
22 without the need for Court intervention.

23 4. In July 20, 2021, the parties mediated the case before the Honorable Elizabeth D.
24 Laporte (Ret.), a well-respected neutral, but they did not reach a settlement. More recently, on June
25 29, 2022, after major discovery had occurred, the parties resolved a significant portion of the case by
26 entering into a confidential settlement agreement that addresses a significant category of the issues in
27 dispute between the parties. Since that agreement, the parties have been working diligently on
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1 determining whether a settlement of all remaining issues is possible. To that end, the parties'
 2 respective lead trial counsel have been engaging in regular exchanges of information and positions for
 3 the last two months. The parties are hopeful that a global settlement of all remaining issues is possible.

4 5. Given the parties' continued good faith efforts to conserve judicial resources by
 5 attempting to resolve the case, and the parties' continued diligence in discharging their respective
 6 discovery obligations, good cause exists to modify the current Pretrial Scheduling Order to prevent
 7 the parties from being unfairly prejudiced absent a continuance of the existing deadlines in this case.
 8 The parties believe their diligence and substantial progress since the issuance of the April 15, 2022
 9 Pretrial Scheduling Order justifies the continuance sought herein.

10 **NOW, THEREFORE**, based on the foregoing, and subject to the Court's approval, the parties
 11 stipulate and agree that all existing deadlines should be continued as follows:

Event	Current Deadline	Proposed Deadline
Expert Witness Disclosures	10/10/22	8/4/23
Rebuttal / Supplemental Expert Disclosures	11/7/22	9/1/23
Joint Mid-Litigation Statement Filing Deadline	11/25/22	9/15/23
Discovery Completion Deadline ¹	12/9/22	9/29/23
Deadline to meet and confer on whether there will be cross-motions for summary judgment	12/23/22	10/13/23
Deadline to file dispositive motions	1/20/23	11/10/23
Hearing on dispositive motions	3/28/23, 1:30 pm	1/9/24 at 1:30 pm
Final Pretrial Conference	4/28/23, 11:00 am	2/23/24 at 10:00 am

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 27 ¹ In this context, "completion" means that all discovery shall have been conducted so that all
 28 depositions have been taken and any disputes relative to discovery shall have been resolved by appropriate order if necessary and, where discovery has been ordered, the order has been complied with.

1 Jury/Bench Trial (7-10 days)	2 6/26/23, 9:00 am	3 4/8/24 at 9:00 am
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4 Dated: October 13, 2022

ROGERS JOSEPH O'DONNELL

Neil H. O'Donnell
Lauren Kramer Sugeeth
Amy L. Bomse

7 By: /s/ Neil H. O'Donnell
8 Neil H. O'Donnell
9 (as authorized on October 13, 2022)
10 Attorneys for Plaintiff/Counterclaim-Defendant
11 CGI FEDERAL INC.

12 Dated: October 13, 2022

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Robert Dennis Fairbanks, Jr. (admitted *pro hac vice*)

15 By: /s/ Ann Marie Mortimer
16 Ann Marie Mortimer
17 Attorneys for Defendant/Counterclaimant
18 AEROJET ROCKETDYNE, INC.

ORDER

Having reviewed the parties' stipulation, and good cause being shown therefor, the Court hereby ORDERS that the dates set forth in the Court's Pretrial Scheduling Order shall be continued as set forth in the foregoing stipulation.

IT IS SO ORDERED.

Dated: October 13, 2022

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE

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